

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

SLIMAN FARRAN and FADUL FARRAN  
dba JERUSALEM CAFÉ and JERUSALEM  
RESTAURANT and CAFE,

Plaintiffs,

v.

JIMI ABDULLAH JOUZINE,

Defendant.

Case No. C06-5116FDB

ORDER DENYING DEFENDANT'S  
MOTION TO CONTINUE PRETRIAL  
DATES AND TRIAL DATE

Defendant Jouzine's counsel moves to continue pretrial dates and trial date for the reasons that Cheryl R.G. Adamson of the law firm of Rettig Osborne Forgette, LLP, was substituted in as counsel for attorney Kurt Rylander on September 20, 2006 and that Ms. Adamson has been on vacation out of the country since September 23, 2006, returning October 9, 2006; that Mr. Rylander's file consists of 6 ½ " of documents plus CDs and videotapes and that new counsel requires at least 60 days to become familiar with the case. The November 20, 2006 discovery cut-off date is approaching.

One problem with Defendant's new counsel's motion is that Defendant's previous counsel, Mr. Rylander did not move to withdraw from this case and has not received leave of court. Local


1 Rule GR 2 (g). The parties merely filed a Notice of Substitution of Counsel on September 20, 2006.

2 Plaintiffs object to any continuance now because of continued loss of customers and goodwill  
3 in this trade dress/trade secrets case, and because the Defense has sought to take no depositions.  
4 Moreover, Defendant was ordered deported to Israel on August 2, 2002, and as of August 31, 2006,  
5 when the Ninth Circuit denied his petition for rehearing, he has exhausted his remedies in federal  
6 court. Plaintiffs also note that Defendant's restaurant is for sale and that if he sells his restaurant  
7 and/or if he is deported, Plaintiffs' claims will be more difficult to pursue.

8 Accordingly, under all the circumstances, and for the reason that Defendant's original counsel  
9 never properly moved to withdraw. The instant motion will be denied.

10 NOW, THEREFORE, IT IS ORDERED: Defendant's Motion To Continue Pretrial Dates  
11 and Trial Date [Dkt. # 53] is DENIED.

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13 DATED this 11<sup>th</sup> day of October, 2006.

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16 FRANKLIN D. BURGESS  
17 UNITED STATES DISTRICT JUDGE  
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